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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 GREGORY MONTEGNA,
12 Individually and On Behalf of All
13 Others Similarly Situated,

14 Plaintiff,

15 vs.

16 VEMMA NUTRITION
17 COMPANY,

18 Defendants.

CASE NO. 13CV2731 MMARBB

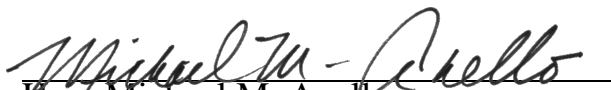
**ORDER GRANTING JOINT
MOTION TO DISMISS ACTION IN
ITS ENTIRETY PURSUANT TO
FRCP 41(a)(1)(A)(ii)**

[Doc. No. 13]

19 The parties have filed a joint motion to dismiss this action in its entirety
20 pursuant to FRCP 41(a)(1)(A)(ii). Upon due consideration, the Court **GRANTS** the
21 joint motion and **DISMISSES** Plaintiff Gregory Montegna's individual claims against
22 Defendant Vemma Nutrition Company in their entirety **with prejudice**. The Court
23 **DISMISSES** the putative class claims asserted against Defendant in their entirety
24 **without prejudice**.

25 **IT IS SO ORDERED.**

26 DATED: May 20, 2014

27 
28 Hon. Michael M. Anello
United States District Judge